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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**[PROPOSED] ORDER GRANTING EX  
PARTE MOTION FOR LEAVE  
TO FILE OVERLENGTH REPLY  
MEMORANDUM IN SUPPORT OF  
SCO'S OBJECTIONS TO  
MAGISTRATE JUDGE WELLS'  
ORDER OF JUNE 28, 2006**

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group ("SCO") for Leave to File Overlength Reply Memorandum in

Support of SCO's Objections to Magistrate Judge Wells' Order of June 28, 2006. The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and here ORDERS that SCO be granted leave to file its Overlength Reply Memorandum consisting of 50 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED: \_\_\_\_\_, 2006.

BY THE COURT:

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Honorable Dale A. Kimball

**CERTIFICATE OF SERVICE**

I hereby certify that on the 5<sup>th</sup> day of September, 2006, I caused to be served a true and correct copy of the foregoing [PROPOSED] ORDER GRANTING EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH REPLY MEMORANDUM IN SUPPORT OF SCO'S OBJECTIONS TO MAGISTRATE JUDGE WELLS' ORDER OF JUNE 28, 2006 by CM/ECF or U.S. Mail, postage prepaid, to the following:

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/s/ Brent O. Hatch \_\_\_\_\_